UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/659,650	09/12/2000	Hassan Hagirahim	Hagirahim 8-7	6967

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MOSER, PATTERSON & SHERIDAN L.L.P.
595 SHREWSBURY AVE, STE 100
FIRST FLOOR
SHREWSBURY, NJ 07702

EXAMINER
CHANG, RICHARD

ART UNIT	PAPER NUMBER
2663	

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/659,650	HAGIRAHIM ET AL.
	Examiner	Art Unit	
	Richard Chang	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 September 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,12-15 and 24-29* is/are rejected.

7)☒ Claim(s) *4-11, 16-23 and 30-32* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>01 September 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Response to Amendment

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Specification

2. The disclosure is objected to because of the following informalities:

The "Header Checker Field 406" (See Fig. 4, page 9, line 8) is mistyped for its reference number. The correction should be "Header Checker Field 408" to be consistent with the same reference as "Header Error Checker (HEC) 408" (See Fig. 4, page 9, line 1).

Appropriate correction is required.

Claim Objections

3. Claims 5 and 17 are objected to because of the following informalities:

Regarding to Claim 5, the short handed subject matter "said RTP packet" (claim 10, line 1) is too general and unclear. This should be corrected as "said modified RTP packet" to be consistent with the parent claim 4 and the disclosure in the specification.

Regarding to Claim 17, the short handed subject matter "said RTP packet" (claim 17, line 1) is too general and unclear. This should be corrected as "said modified RTP packet" to be consistent with the parent claim 16 and the disclosure in the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 12-15 and 24-29 are rejected under 35 U.S.C. 102(e) as being

clearly anticipated by US patent No. 6, 363,065 ("Thornton et al.").

Regarding claims 1, 13 and 27, Thornton et al. teach a method, apparatus and

gateway for a Voice over IP (VoIP) telephony gateway by paired use (200 as source

and 200' as destination, See Fig. 4) at opposite ends of a data network connection

comprising of:

receiving the incoming T1-line (263) Time Division Multiplexed (TDM) telephony

serial signal stream (voice traffic) at an originating VoIP gateway (200) (See Fig. 2, Col.

12, lines 42-44),

determining within the DSP (225) and the microcontroller (240) whether an

appropriate destination IP addresses is serviced over the data network to a destination

peer gateway (200', second VOIP gateway) (See Fig. 2, Col. 13, lines 57-62 and Col.

14, lines 3-8),

multiplexing the incoming time slot (said voice traffic), via a TDM switch (250) controlled by microcontroller (240), to an outgoing TDM bus (228) at said VOIP gateway (200) (See Fig. 2, Col. 13, lines 52-56), and

transporting the multiplexed digital telephony serial signal stream (multiplexed voice traffic) to an affirmed destination (responsive to an affirmative ... second VOIP gateway) peer gateway (200', said second VOIP gateway) utilizing suitable IP packets with appropriate IP addresses, converted within the DSP (225) and the microcontroller (240), over the data network (See Fig. 2, Col. 13, lines 56-62).

Regarding claims 2,14 and 28 Thornton et al. further teach that the receiving the incoming T1-line (263) TDM telephony serial signal stream (voice traffic) (See Fig. 2, Col. 12, lines 42-44) at the gatekeepers (420) of an originating VoIP gateway (200) is received within the payload portions of user Datagram Protocol (UDP/Internet Protocol (IP)) packets (See Fig. 4A, Col. 17, lines 34-42).

Regarding claims 3,15 and 29 Thornton et al. further teach that the outgoing payload information for each time-multiplexed slot is assembled (See Fig. 2, Col. 12, lines 51-57) at the gatekeepers (420) of an originating VoIP gateway (200) within the payload portions of user Datagram Protocol (UDP/Internet Protocol (IP)) packets (See Fig. 4A, Col. 17, lines 34-42) (See Fig. 4A, Col. 17, lines 34-42).

Regarding claims 12,24 and 26 Thornton et al. further teach the gatekeeper (420) determines whether it can resolve the called number into an IP address of the called gateway (200', said second VOIP gateway) (See Fig. 12, Col. 43, lines 10-15).

Regarding claim 25, Thornton et al. further teach that the gateway (200) is a microcontroller (240 as processor) based system having flash memory (205 as storage device) (See Fig. 2, Col. 11, lines 65-66), which stores program code (instruction) and other information for the gateway (200) operations (See Fig. 2, Col. 15, lines 23-24).

Allowable Subject Matter

6. Claims 4-11, 16-23 and 30-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if no art rejection can be applied.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is (571) 272-3129. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

                                              Richard Chang
                                              Patent Examiner
Rkc   Art Unit 2663
rkc

CHAU NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600